

Flanagan, Sarah

From: John Dickinson <John.Dickinson@dol.lps.state.nj.us>
Sent: Wednesday, December 17, 2014 7:12 PM
To: Flanagan, Sarah
Cc: Naranjo, Eugenia
Subject: Re: Givaudan Fragrances Corporation - Comments to Revised QAPP
Attachments: removed.txt

Thanks Sarah.

From: Flanagan, Sarah [mailto:Flanagan.Sarah@epa.gov]
Sent: Wednesday, December 17, 2014 05:42 PM
To: John Dickinson
Cc: Naranjo, Eugenia <Naranjo.Eugenia@epa.gov>
Subject: FW: Givaudan Fragrances Corporation - Comments to Revised QAPP
FOIA Ex. (b)(5) Attorney Work Product; Ex b(7)(A) Enforcement Proceedings

John,

Thanks for your input. As you'll see below, I emailed the requested information to Givaudan's lawyers. FOIA Ex. (b)(5) Attorney Work Product; Ex b(7)(A) Enforcement Proceedings

-Sarah

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch
USEPA, Region 2
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136

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From: Flanagan, Sarah
Sent: Wednesday, December 17, 2014 5:27 PM
To: 'Arnold, Adam C.'
Subject: RE: Givaudan Fragrances Corporation - Comments to Revised QAPP

Adam,

I understand that Givaudan has asked New Jersey Department of Environmental Protection (NJDEP) for the email from EPA to NJDEP that is referenced in the NJDEP letter dated November 19, 2014 approving EPA's investigation with respect to the dioxin containment cell at Givaudan's former location in Clifton. I am attaching a copy to this email, along with NJDEP's letter.

I look forward to hearing from you on the open issues discussed below.

Regards,

-Sarah

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From: Flanagan, Sarah
Sent: Tuesday, December 16, 2014 8:49 AM
To: 'Arnold, Adam C.'
Subject: RE: Givaudan Fragrances Corporation - Comments to Revised QAPP

Adam,

Following up on my email of November 10 and 18. Has Givaudan reviewed our procedure for sampling the dioxin containment cell? Also, is Givaudan able to answer the questions posed in my November 10 email about comments provided by Givaudan on the Revised QAPP?

Without Givaudan's response we cannot finalize the QAPP revisions. Please let me know when you will be able to respond.

Regards,

-Sarah

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New York, NY 10007
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From: Flanagan, Sarah
Sent: Tuesday, November 18, 2014 6:00 PM
To: 'Arnold, Adam C.'
Subject: RE: Givaudan Fragrances Corporation - Comments to Revised QAPP

Adam,

Following up on my email sent on November 10, 2014, set forth below is description of the process that will be used by EPA's contractor to penetrate the cap of Givaudan's dioxin containment cell, collect samples, and seal it. For your information, we provided this to New Jersey Department of Environmental Protection, along with the draft QAPP, and NJDEP has indicated that it will issue an approval of the proposed work.

As previously noted, this will be added to the QAPP, but given the concerns that Givaudan expressed about this issue, we would appreciate if Givaudan could review and provide feedback before we ask our contractor to finalize the QAPP revisions.

PROCEDURE FOR GIVAUDAN WASTE CELL SAMPLING

During sampling the goal will be to collect samples from the highest contaminated cell soil which is located roughly at the center of the cell. Care will be made to minimize damage to the cell structure and to repair any damage afterwards. Lockheed Martin's Insurance information has been forwarded to the Givaudan Lawyers. Lockheed Martin/SERAS will be granted access prior to sampling the cell. Equipment and personnel will be staged on the "blacktop" of the cell during the actual sampling process. Focus will therefore be on the center of the cell where soils with higher contamination (greater than 20 ug/kg TCDD) were contained. The surface of the cell will be perforated during sampling but the bottom of the waste cell will not be compromised. The damaged surface of the cell will be repaired where sampled. The asphalt surface will likewise be patched to prevent inflow of surface water during later storm events.

The asphalt will be cut attempting initially to confine the cut to roughly a **2-foot by 2-foot square**, using a STIHL brand or equivalent, gas powered Cut-Off Saw with a diamond blade. The chain link fence below will be cut by hand and the piece of fencing removed and placed aside. Lockheed Martin will use their 6600 DT Geoprobe to collect the samples. The Geoprobe will use a 2.25 outside diameter tool string. Although it is planned to use the 2.25 geoprobe tooling, the 3.25 tooling will be brought to the location as back up if there are recovery issues and volume of sample issues. Each Rod of the Geoprobe is 5-feet in length, including the sampler. The hole will be centered on the open square and pushed to the desired depth. The probe will then be removed and the sample collected and processed on Site. Split samples were requested by Givaudan. Although we wish to minimize the number of perforations, it may be necessary to make an additional hole or holes alongside the original if there is insufficient sample soil recovery. Portland Type 1 cement will be used for grouting the boring. The grout will be mixed in a bucket with a drill and mixing bit to the desired consistency. The borehole abandonment will be done using the *Tremie* method. After sampling is completed the boring will be grouted and the machine moved off the hole. The top clean soil will then be removed down to the nonwoven geotextile membrane either by hand or possibly use of a vacuum truck. The geotextile membrane will then be patched with a similar piece of 8 ounce nonwoven geotextile slightly larger than the damaged section. This will overlap and adhere with a high-strength spray adhesive such as 3M Spray Adhesive 90-24. Bentonite and/or other sealant material (e.g. Tremco brand "Paraseal") may be placed on top of the geotextile patch to help seal and provide additional protection to the sampling location. The clean soil will be replaced on the geotextile patch and the asphalt at the surface will be patched. The asphalt patch used to repair the hole will be Sakrete or quickcrete brand all weather blacktop patch or similar. SERAS will use a Vibratory Plate Compactor to tamp down the asphalt patch. Note that it may be necessary to make a larger cut to properly address the membrane cover or to obtain sufficient sample. If the cut asphalt area ends up being considerably larger than Lockheed Martin/SERAS may opt to subcontract a repaver to better repair the damaged asphalt surface.

The sampling effort will focus on the area 6 to 12 feet below ground surface (bgs). Two locations approximately 25-feet apart will be sampled to increase the chance of collecting a sample of interest. Samples will be processed on Site. Split samples will be provided to Givaudan. Surplus sample material, if applicable,

may be archived for a period of time at Lockheed Martin/SERAS. Sampling of the Givaudan cell is anticipated to be completed within one day but an additional day (possibly not consecutive) may be necessary for repairing the asphalt, if needed, and unknown or unforeseen circumstances may alter or lengthen this schedule. It will be necessary to perform this sampling when daytime temperatures are reasonably warm and the weather is dry.

Please let me know if you have any questions or concerns about the above. I look forward to hearing from you.

Thanks
-Sarah

Sarah P. Flanagan
Office of Regional Counsel, NJ Superfund Branch
USEPA, Region 2
290 Broadway, 17th Floor
New York, NY 10007
Tel: 212-637-3136

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From: Flanagan, Sarah
Sent: Monday, November 10, 2014 5:14 PM
To: 'Arnold, Adam C.'
Subject: RE: Givaudan Fragrances Corporation - Revised Access Agreement and Comments to Revised QAPP

Adam,

As per my voice mail message this morning, EPA has two questions about the document - "Comments to Revised QAPP" - you sent on October 17:

1. Comment #12 says that the QAPP Work Sheet 9-1 "continues to state that TCDD is found in production waste", and that this statement should be removed. Previously, Givaudan commented that Work Sheet 9-1 could be read to suggest that **TCDD** is found in production waste from Givaudan. To address this comment, Lockheed added an Update paragraph at the end of the meeting notes on Work Sheet 9-1, on page 14, clarifying that TCDD is identified with processes at Diamond Alkali.

We are unsure whether the reference to **TCDD** in your comment #12 is a typo, and if you missed the new paragraph on page 14 about TCDD; or if you are now taking the position that TCDD is not associated with Givaudan operations. We assume it is the former but to be sure there is no misunderstanding, could you confirm?

2. Comments #46-49 refer to Work Sheets 21-1 to 21-6. There are no Work Sheets 21-1 to 21-6, and we were unable to relate the comment 46 to information in the QAPP. Could you please specify what page or pages comment 46 refers to?

To address Givaudan's comments 2, 3, 8, 40, 41 and 42, EPA has asked our contactor to provide a description of the process that will be used to penetrate the cap, collect samples, and seal it. We expect to get that information to you later this week or early next week, and we will ask Givaudan to review and comment on that before we finalize the QAPP revisions.

In addition, to address the questions and requests raised by Givaudan via Bill Hatfield's October 17, 2014 letter and enclosed draft access agreement, we are preparing a written response, and revising EPA's consent to access form. We will get that to as soon as possible which at this point is likely going to be next week.

Sarah

Sarah P. Flanagan
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USEPA, Region 2
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New York, NY 10007
Tel: 212-637-3136

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From: Arnold, Adam C. [<mailto:AArnold@gibbonslaw.com>]
Sent: Friday, October 17, 2014 5:42 PM
To: Flanagan, Sarah
Cc: Raut, Leena; Hatfield, William S.
Subject: Givaudan Fragrances Corporation - Revised Access Agreement and Comments to Revised QAPP

Sarah:

Please see attached. Have a great weekend!

Regards,

Adam C. Arnold, Esq.
Gibbons P.C.
One Gateway Center
Newark, NJ 07102
P: (973) 596-4519
F: (973) 639-6375
aarnold@gibbonslaw.com



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